

UNITED STATES DISTRICT COURT

for the
Eastern District of Missouri

In the Matter of the Search of
IN THE MATTER OF THE SEARCH OF THE PREMISES LOCATED
AT: 5043 Kensington Avenue, St. Louis, MO 63108, within the Eastern
District of Missouri, is a two family, 1st floor unit, with the front doors
facing south and is accessed via the western most front door. The residence
has red brick exterior with white trim around the windows. The front door
is accessed by a raised covered front porch.

Case No. 4:20 MJ 0072 DDN

**SUBMITTED AND SIGNED BY RELIABLE
ELECTRONIC MEANS**

APPLICATION FOR A SEARCH WARRANT

I, Special Agent Brock Gale, a federal law enforcement officer or an attorney for the government
request a search warrant and state under penalty of perjury that I have reason to believe that on the following property:
5043 KENSINGTON AVENUE, ST. LOUIS, MO 63108

located in the EASTERN District of MISSOURI, there is now concealed

SEE ATTACHMENT B - ITEMS TO BE SEIZED AND SEARCHED

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

21:841(a)(1)

Offense Description

possession with the intent to distribute controlled substances

The application is based on these facts:

SEE ATTACHED AFFIDAVIT WHICH IS INCORPORATED HEREIN BY REFERENCE

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested
under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

I state under the penalty of perjury that the foregoing is true and correct.



Applicant's signature

Brock Gale, Special Agent, ATF

Printed name and title

Sworn to before me by reliable electronic means.

Date: March 18, 2020

/s/ David D. Noce

Judge's signature

City and state: St. Louis, MO

Honorable David D. Noce, U.S. Magistrate Judge

Printed name and title

AUSA: Geoffrey S. Ogden

UNITED STATES DISTRICT COURT

for the
Eastern District of Missouri

In the Matter of the Search of)

(Briefly describe the property to be searched)
or identify the person by name and address)

IN THE MATTER OF THE SEARCH OF THE PREMISES LOCATED AT:)
5043 Kensington Avenue, St. Louis, MO 63108, within the Eastern District of)
Missouri, is a two family, 1st floor unit, with the front doors facing south and)
is accessed via the western most front door. The residence has red brick)
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raised covered front porch.

Case No. 4:20 MJ 0072 DDN

**SUBMITTED AND SIGNED BY RELIABLE
ELECTRONIC MEANS**

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search
of the following person or property located in the EASTERN District of MISSOURI
(identify the person or describe the property to be searched and give its location):

5043 Kensington Avenue, St. Louis, MO 63108.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property
described above, and that such search will reveal (identify the person or describe the property to be seized):

SEE ATTACHMENT B

YOU ARE COMMANDED to execute this warrant on or before April 1, 2020 (not to exceed 14 days)
☒ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the
person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the
property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory
as required by law and promptly return this warrant and inventory to Honorable Judge David D. Noce.
(United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C.
§ 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose
property, will be searched or seized (check the appropriate box)

☐ for days (not to exceed 30) ☐ until, the facts justifying, the later specific date of .

Sworn to before me by reliable electronic means.

Date and time issued: March 18, 2020, at 10:43 a.m.

/s/ David D. Noce

Judge's signature

City and state: St. Louis, MO

Honorable David D. Noce, U.S. Magistrate Judge

Printed name and title

AO 93 (Rev. 11/13) Search and Seizure Warrant (Page 2)

Return

Case No.:

4:20 MJ 0072 DDN

Date and time warrant executed:

Copy of warrant and inventory left with:

Inventory made in the presence of :

Inventory of the property taken and name of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

Executing officer's signature

Printed name and title

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

IN THE MATTER OF THE SEARCH OF THE)
PREMISES LOCATED AT: 5043 Kensington)
Avenue, St. Louis, MO 63108, within the Eastern)
District of Missouri, is a two family, 1st floor)
unit, with the front doors facing south and is)
accessed via the western most front door. The)
residence has red brick exterior with white trim)
around the windows. The front door is accessed)
by a raised covered front porch.)
)
)
)

No. 4:20 MJ 0072 DDN

**SUBMITTED AND SIGNED BY RELIABLE
ELECTRONIC MEANS**

FILED UNDER SEAL

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Special Agent Brock Gale, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search the premises known as 5043 Kensington Avenue, St. Louis, MO 63108 (hereinafter the "Premises") further described in Attachment A, for the things described in Attachment B.

2. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), and have been since January, 2018. I am currently assigned to the Kansas City Field Division, St. Louis Group IV Field Office. I am tasked with investigating violations of the federal arson, explosives, controlled substances, violent crime and firearms laws, among others. I have successfully completed the Criminal Investigator Training Program (CITP) and the ATF National Academy

Special Agent Basic Training (SABT) at the Federal Law Enforcement Training Center. Prior to ATF I was employed as a Police Officer for the City of Bridgeton for over six (6) years. During my tenure with the ATF, I have participated in numerous investigations involving firearms and am familiar with and have used normal methods of investigation, including, but not limited to, visual and electronic surveillance, questioning of witnesses and defendants, the use of search and arrest warrants, the use of informants, the use of pen registers, the utilization of confidential sources and undercover agents, and the use of court-authorized wire and electronic intercepts.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of Title 21, United States Code, Section 841(a)(1) Possession with intent to Distribute a Controlled Substance have been committed by VAN LOVE or other persons known and unknown. There is also probable cause to search the information described in Attachment A for evidence of these crimes and contraband or fruits of these crimes, as described in Attachment B.

LOCATION TO BE SEARCHED

5. The location to be searched is: 5043 Kensington Avenue, St. Louis, MO 63108 ("Premises"). The Premises is a two family residence with the front doors facing south. The residence to be searched is the 1st floor unit. The 1st floor unit is accessed via the western most front door. The residence has a red brick exterior with white trim around the windows. The front door is accessed by a raised covered front porch.

PROBABLE CAUSE

6. The United States, including the ATF, is conducting a criminal investigation of members of a violent street gang, the “51 Scan Block Gangsters,” which includes as members VAN LOVE and others known and unknown, regarding the commission of the subject offenses. This investigation began in November 2019, and investigators have confirmed that these individuals operate primarily in the 5000 block of Kensington Avenue, in the City of St. Louis and within the Eastern District of Missouri, where they distribute narcotics. This has been confirmed through the use of a confidential source of information (“CI”), the use of an undercover ATF Agent (“UC”), physical surveillance, and precision location monitoring. Investigators have utilized the CI and UC to conduct multiple controlled purchases of fentanyl from multiple individuals in the 5000 block of Kensington Avenue. The controlled purchases were each audio and video recorded, were coordinated through the use of cellular telephones, and each purchase took place in the 5000 block of Kensington Avenue, St. Louis, MO, and each purchase was subsequently analyzed by the St. Louis Metropolitan Police Department Crime Laboratory.

7. On March 2020, an ATF CI coordinated a controlled purchase of cocaine base (“crack”) and fentanyl from LOVE. Prior to the controlled purchase, investigators searched the CI for contraband, which yielded negative results. Investigators affixed the CI with an audio/video recording device in order to record the transaction. Prior to the purchase, the CI contacted LOVE via a recorded telephone call and discussed the transaction. LOVE instructed the CI to walk onto the 5000 block of Kensington Avenue, alone.

8. Upon arrival to the area, the CI made contact with LOVE in front of the Premises located at 5043 Kensington Avenue. LOVE instructed the CI to come inside, and the CI followed LOVE into the

first floor of the Premises, where they both sat down. LOVE informed the CI that he was in possession of approximately 28 grams of cocaine base and approximately 200 capsules of fentanyl. The CI observed that LOVE was carrying a firearm, which he placed on the couch next to him while he prepared the drugs for sale. The CI also observed a black rifle resting behind a speaker. LOVE utilized a digital scale to weigh the correct amount of drugs before packaging them in individual plastic bags and providing them to the CI. Utilizing Agent Cashier funds, the CI purchased approximately 6.05 grams of fentanyl and 2.94 grams of cocaine base.

9. At the conclusion of the operation, the CI made contact with investigators at a pre-arranged neutral location, where the CI provided the suspected narcotics to investigators, as well as the recording devices. The CI was again searched for other contraband, which yielded negative results. The purchased evidence was analyzed by the St. Louis Metropolitan Police Department (SLMPD) Crime Laboratory and tested positive for the presence of fentanyl and cocaine base.

10. Previously, on March 3, 2020, the 22nd Circuit Court in the City of St. Louis authorized a precision location warrant for the cellular telephone number utilized by LOVE and referenced above. Since this warrant was authorized, the cellular telephone known to be utilized by LOVE has been

observed by investigators to spend a considerable amount of time in the exact area of the Premises, including daytime, evening, and early morning hours.

11. An Ameren Utilities inquiry on March 16, 2020 revealed the active account holder at the Premises since 09/13/2019 to be Tressa Singleton.

12. The confidential informant (CI) referenced above has supplied information to law enforcement on multiple occasions concerning the underlying investigation in this case.¹ The CI's information has proven accurate and reliable on multiple occasions, and is often quite detailed. Information supplied by the CI has been corroborated through traditional investigative techniques such as physical surveillance observations and interviews of related parties. Additionally, information supplied by the CI has been corroborated through reviews of recordings (by law enforcement officials) made by the CI during meetings described in this Affidavit. Based upon discussions with fellow law enforcement personnel and my personal observations and experience, information supplied by the CI has been reliable and accurate and can be regarded as such.

13. Based on the investigative teams observations, and discussions with other law enforcement agents, information supplied by the CI can be regarded as information which, if disclosed among criminal suspects, would likely reveal the CI's role as a cooperator, because only a limited set of people know the information the CI has disclosed to authorities. It is my assessment, as well as that law enforcement officers

¹ The CI has provided information to law enforcement which has been corroborated through controlled purchases of narcotics described herein and has been deemed to be reliable by the totality of the investigation to-date. The information provided by the CI has never been found to be false or misleading to-date. The CI has prior convictions for

The CI is working with law enforcement in hopes of receiving consideration relative to his/her prior drug offense and monetary compensation.

directly dealing with the CI that the CI's life and safety (and CI's family, whether in the United States or elsewhere) could be jeopardized through violent retaliation should the CI's role as a cooperator become public prematurely.

14. As part of my experience and training and that of other law enforcement officers participating in the investigation, we have accumulated information and training in the areas of narcotics based economic crime. I have had extensive experience, as have other members of the investigating team, in interviewing defendants, witnesses, informants and others who have experience in the gathering, spending, converting, transporting, distributing and concealing of proceeds of narcotics trafficking. Based upon my and the investigating team's experience and our participation in other pending and completed controlled substances and/or financial investigations involving ongoing, extensive distribution conspiracies involving large amounts of controlled substances and money, I am informed of the following:

a. It is common for drug dealers to secrete contraband, proceeds of drug sales, and records of drug transactions in their residence or other buildings under their control.

b. Drug traffickers frequently keep near at hand, in their residence or other buildings under their control, paraphernalia for packaging, cutting, weighing and distributing of controlled substances. These paraphernalia include, but are not limited to scales, plastic bags, and cutting agents.

c. Drug traffickers maintain books, records, receipts, notes, ledgers, airline tickets, computer hard drives and disk records, money orders and other papers relating to the transportation, ordering, sale and distribution of controlled substances. Drug traffickers commonly "front" (provide drugs on consignment) controlled substances to their clients. The aforementioned books, records, receipts, notes, ledgers, etc. are maintained where the drug traffickers have ready access to them, specifically in their residence or in other buildings under their control.

d. Drug traffickers commonly maintain telephone bills, invoices, packaging, cellular batteries and/or charging devices, cancelled checks or receipts for telephone purchase/service; cellular and/or landline telephones; digital and/or alphanumeric text (two-way) pagers; computers capable of e-mail and/or chat-room communication, answering machines; address and/or telephone books and papers reflecting names, addresses, and/or telephone numbers of sources of supply, of customers, and/or evidencing association in fact with persons known to traffic in controlled substances or to facilitate such trafficking. These records are maintained where drug traffickers have ready access to them, specifically, in their residence or in other buildings under their control.

e. Drug traffickers take or cause to be taken photographs of them, their associates, their property, cash and currency, firearms, and controlled substances. These traffickers frequently maintain these photographs in their residence or other buildings under their control.

f. Persons involved in large-scale drug trafficking conceal in their residence or other buildings under their control large amounts of currency, precious metals, jewelry, and financial instruments, including, but not limited to, stocks and bonds, papers, titles, deeds and other documents reflecting ownership of vehicles and property utilized in the distribution of controlled substances or which are proceeds from the distribution of controlled substances.

g. When drug traffickers amass large proceeds from the sale of controlled substances they attempt to legitimize these profits. I know that to accomplish these goals, drug traffickers utilize financial institutions, including but not limited to, foreign and domestic banks and their attendant services, securities, cashier's checks, money drafts, letters of credit, brokerage houses, real estate, shell corporations and business fronts. They maintain record of these transactions in their residence or other buildings under their control.

h. It is common for drug traffickers to travel to major distribution centers, such as Texas, California and/or Mexico to purchase controlled substances and/or to arrange for its distribution elsewhere in the United States. After purchasing controlled substances, these drug traffickers will transport or cause to be transported, controlled substances to the areas in which they will distribute the controlled substances. The methods of transportation include, but are not limited to, commercial airlines, private airlines, rental automobiles, private automobiles, and government and contract mail carriers. Records of travel are frequently kept in their residence or other buildings under their control.

i. Evidence of occupancy and residence including, but not limited to utility and telephone bills, canceled envelopes, rental or lease agreements, and keys, is relevant evidence in controlled substances prosecutions.

j. Drug traffickers frequently possess firearms and/or other weapons in their residence or other buildings under their control to protect their cocaine and/or United States currency.

CONCLUSION

15. Based on the foregoing I submit that this affidavit supports probable cause for a warrant to search the Premises described in Attachment A and seize the items described in Attachment B.

16. I further request that the Court order that all papers in support of this application, including the affidavit and warrant, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may give targets an

opportunity to flee/continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, notify confederates, or otherwise seriously jeopardize the investigation.

I state under the penalty of perjury that the foregoing is true and correct.

Respectfully submitted,



BROCK GALE
Special Agent. ATF
(314)580-0727

Sworn to before me by reliable electronic means on March 18, , 2020.

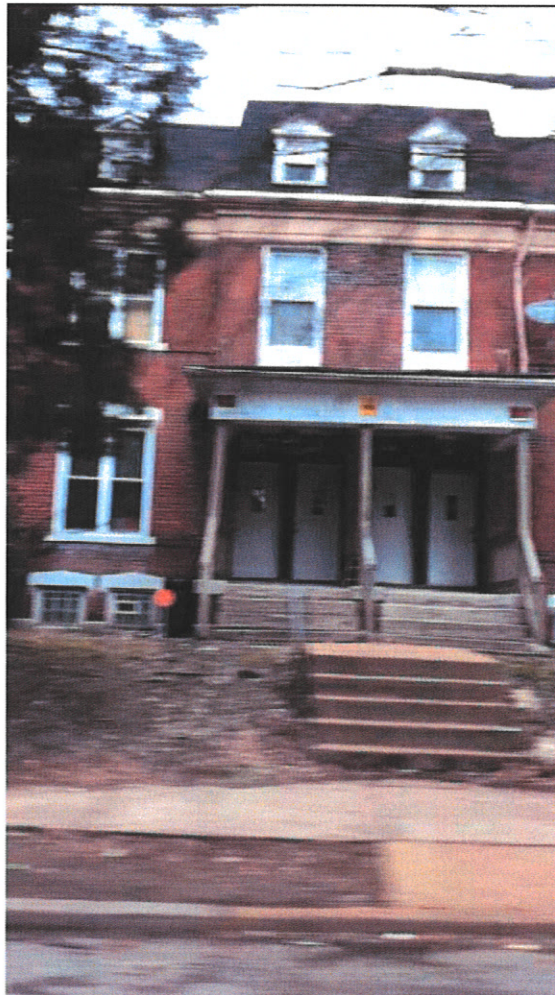
/s/ David D. Noce

The Honorable David D. Noce
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

Property to be searched

The property to be searched is the premises located at: 5043 Kensington Avenue, St. Louis, MO 63108 ("Premises"). The Premises is a two family residence with the front doors facing south. The residence to be searched is the 1st floor unit. The 1st floor unit is accessed via the western most front door. The residence has a red brick exterior with white trim around the windows. The front door is accessed by a raised covered front porch.



ATTACHMENT B

Property to be seized

1. All records and information relating to violations of Title 21, United States Code, Section 841(a), that constitute fruits, evidence, and instrumentalities of those violations involving **Van LOVE** and occurring after November 1, 2019, including:

- a. Controlled substances;
- b. Paraphernalia for packaging, cutting, weighing and distributing controlled substances, including, but not limited to, scales, baggies and spoons;
- c. Books, records, receipts, notes, ledgers, computer hard-drives and disk records, and other papers relating to the transportation, ordering, purchasing and distribution of controlled substances and/or firearms;
- d. Telephone bills, invoices, packaging, cellular batteries and/or charging devices, cancelled checks or receipts for telephone purchase/service;
- e. Digital and/or alphanumeric text (two-way) pagers; computers capable of e-mail and/or chat-room and/or digital communication, answering machines; address and/or telephone books and papers reflecting names, addresses, and/or telephone numbers of sources of supply, of customers, and/or evidencing association with persons known to traffic in controlled substances or to facilitate such trafficking;
- f. Photographs, in particular photographs of co-conspirators, assets and/or controlled substances;
- g. United States currency, precious metals, jewelry, and financial instruments, including, but not limited to, stocks and bonds, papers, titles, deeds and other documents reflecting ownership of vehicles and property utilized in the distribution of controlled substances or which are proceeds from the distribution of controlled substances;

- h. Books, records, receipts, pay stubs, employment records, bank statements and records, money drafts, letters of credit, money order and cashier's checks receipts, passbooks, bank checks and other items evidencing the obtaining, secreting, transfer and/or concealment of assets and the obtaining, secreting, transfer, concealment and/or expenditure of money;
- i. Papers, tickets, notes, schedules, receipts and other items relating to travel, including, but not limited to, travel to and from St. Louis, Missouri and elsewhere;
- j. Indicia of occupancy, residency, rental and/or ownership of the vehicles and/or premises described above, including, but not limited to, utility and telephone bills, cancelled envelopes, rental or lease agreements and keys; and
- k. Firearms and/or weapons.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN THE MATTER OF THE SEARCH OF THE)
PREMISES LOCATED AT:)
5043 Kensington Avenue, St. Louis, MO 63108,)
within the Eastern District of Missouri, is a two)
family, 1st floor unit, with the front doors facing)
south and is accessed via the western most front)
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white trim around the windows. The front door)
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**SUBMITTED AND SIGNED BY RELIABLE
ELECTRONIC MEANS**

No. 4:20 MJ 0072 DDN

FILED UNDER SEAL

MOTION FOR SEALING ORDER

COMES NOW the United States of America, by and through its attorneys the United States Attorney for the Eastern District of Missouri, and Geoffrey S. Ogden, Assistant United States Attorney for said District, and moves this Court for an order directing that the search warrant, along with its application, affidavit, and return, entered by this Court be sealed until September 18, 2020, except for the limited purposes of providing same to defense counsel pursuant to Rules 12 and 16 of the Federal Rules of Criminal Procedure.

In support of this Motion, the Government provides the following facts, establishing that (a) the government has a compelling interest in sealing the documents in question which outweighs the public's qualified First Amendment right of access to review those documents; and (b) no less restrictive alternative to sealing is appropriate or practical:

Because this investigation is ongoing and its success would be jeopardized if the contents of the affidavit were made public, the Government requests that the affidavit and the accompanying search-warrant documents be sealed for the stated period of time.

WHEREFORE, for the reasons stated above, the Government respectfully requests that the search warrant, along with its application, affidavit, and return, be sealed until September 18, 2020.

Dated this 18th day of March, 2020.

Respectfully submitted,

JEFFREY B. JENSEN
United States Attorney

s/Geoffrey S. Ogden
GEOFFREY S. OGDEN #66930MO
Assistant United States Attorney

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN THE MATTER OF THE SEARCH OF THE
PREMISES LOCATED AT:)
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**SUBMITTED AND SIGNED BY RELIABLE
ELECTRONIC MEANS**

No. 4:20 MJ 0072 DDN

FILED UNDER SEAL

ORDER

On motion of the United States of America, IT IS HEREBY ORDERED that the search warrant, along with its application, affidavit, and return, and this Order issued thereto, be sealed until September 18th, 2020, except for the limited purposes of providing same to defendant counsel pursuant to Rules 12 and 16 of the Federal Rules of Criminal Procedure.

This Order is based upon the sealed motion of the Government establishing that: (a) the government has a compelling interest in sealing the documents in question which outweighs the public's qualified First Amendment right of access to review those documents; and (b) no less restrictive alternative to sealing is appropriate or practical.

/s/ David D. Noce

HONORABLE DAVID D. NOCE
United States Magistrate Judge

Dated this 18th day of March, 2020.

